

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

1/23/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 05-00155SOM  
CASE NAME: USA vs. (01) Johanna Huezo-Avalos  
ATTYS FOR PLA: Kenneth Sorenson  
ATTYS FOR DEFT: 01 Shanlyn Park  
Mona Godinet (USPO)

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JUDGE:	Susan Oki Mollway	REPORTER:	Debra Chun
DATE:	1/23/2006	TIME:	1:30 - 1:55

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COURT ACTION: EP: Sentencing to Counts 1 and 2 of the Indictment; Government's Motion for Downward Departure -

Defendant (01) Johanna Huezo-Avalos present.

Court adopts the PSR, and it is filed under seal along with the USPO's recommendations.

The Court found that the defendant qualifies for the "safety valve" provisions as set for in 18 USC Section 3553(f)(1)-(5).

Allocution by the Defendant.

Government's Motion for Downward Departure - Granted.

ADJUDGED:

Imprisonment: 24 Months as to each of Counts 1 and 2, to be served concurrently.

Supervised Release: 3 Years as to each of Counts 1 and 2, to be served concurrently.

Special Assessment: \$200.00 (\$100.00 as to each of Counts 1 and 2).

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than but no more than 8 valid drug tests per month during the term of supervision unless there is a positive drug test, in which event, the maximum shall increase up to one valid drug test per day as directed by the Probation Office.
- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.

Defendant advised of her right to appeal.

JUDICIAL RECOMMENDATIONS: 1) Dublin, or any Camp; 2) Educational and Vocational Training.

Mittimus is stayed until 2/27/06.

Defendant to self surrender on 2/27/06 @ 10:00 a.m. at the facility designated by the BOP.

Submitted by: Toni Fujinaga, Courtroom Manager.